

UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

PORTLAND DIVISION

BANK OF THE PACIFIC, a Washington state chartered financial institution,

No. 3:23-cv-00340-MO

Plaintiff,

v.

KEN & AL, O.N. 517487, its Engines, Machinery, Appurtenances, etc.,
In Rem;

and

and **F/V KEN & AL INC**, an Oregon limited liability company, and **RAYMOND D. GRAVES**, individually and as Guarantor of F/V Ken v. Al, Inc. loan,
In Personam,

Defendants.

ORDER GRANTING STIPULATED MOTION FOR
1) ENTRY OF JUDGMENT;
2) DISMISSAL OF COUNTERCLAIMS;
AND
3) RELEASE OF BOND PROCEEDS

IN ADMIRALTY

THIS CAUSE CAME ON TO BE HEARD upon the Stipulated Motion for Entry of Judgment, Dismissal of Counterclaims, and Release of Bond Proceeds. The Court having considered the Stipulated Motion of the parties and appendix thereto, and based on the request and representations of the parties and counsel herein, hereby ORDERS as follows:

ORDER GRANTING STIPULATED MOTION FOR
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1. The Clerk shall enter JUDGMENT in favor of Plaintiff Bank of the Pacific and against Defendants F/V Ken & Al, Inc., Raymond Graves, and the vessel F/V KEN & AL (O.N. 517487) in the amount of \$237,414.49, with post-judgment interest accruing at a rate of 5.5% per annum until paid, and without award of fees or costs to any party.

2. The state and federal liens asserted by Plaintiff as alleged in the Amended Complaint herein against the in rem Defendant Vessel F/V KEN & AL and the appurtenant Oregon Ocean Pink Shrimp Permit No. 90098 are hereby foreclosed.

3. The counterclaims alleged by Defendants in the Answers and Counterclaims on file herein are hereby DISMISSED with prejudice and without award of fees or costs to any party.

4. United States Fire Insurance Company, the issuer of the Release Bond dated May 1, 2023 (Bond No. 612418753), on file in this matter at Dkt. No. 27, shall promptly pay to Bank of the Pacific or its designee the amount of US\$60,000, plus interest thereon at a rate of 6% per annum until paid. Upon making of this payment to Bank of the Pacific, the Release Bond shall be fully discharged and United States Fire Insurance Company shall be released from any further obligation herein.

5. All pending deadlines in this case are VACATED, the matter is removed from the trial docket, and all other pending motions, if any, are DENIED AS MOOT.

SO ORDERED on this 9th day of November, 2023.



MICHAEL W. MOSMAN
Senior United States District Judge

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